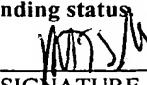


TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 32355.12.8.2.1 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/562651</b>
INTERNATIONAL APPLICATION NO. PCT/US2004/020457	INTERNATIONAL FILING DATE 25 June 2004 (25.06.2004)	PRIORITY DATE CLAIMED 27 June 2003 (27.06.2003)
TITLE OF INVENTION: <b>SYSTEM AND METHOD FOR TOE ARTHROPLASTY</b>		
APPLICANT(S) FOR DO/EO/US: Mark A. RYDELL, Scott McGARVEY and Jeffrey C. FELT		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <b>(unsigned)</b></li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: <u>Return Receipt Postcard</u></li> </ol>		
Express Mail Certificate      Express Mail Label No.: <u>EV 563872365 US</u> Date of Deposit: <u>27 December 2005</u>		
I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop PCT, PO Box 1450, Alexandria, Virginia, 22313-1450.		
Name of Person Making Deposit : <u>Deborah L. Maday</u>		Signature: <u>Deborah L. Maday</u>

U.S. APPLICATION NO. (Unknown. See 37 CFR 1.55) <b>107562651</b>		INTERNATIONAL APPLICATION NO. PCT/US2004/020457		ATTORNEY'S DOCKET NUMBER 32355.12.8.2.1	
The following fees are submitted:				<b>Applicant use</b>	<b>Office use only</b>
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)) ..... <b>\$300.00</b>					
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) <b>\$0</b> All other situations <b>\$200.00</b>					
23. <input checked="" type="checkbox"/> c) Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) <b>\$0</b> Search fee (37 CFR 1.445(a)(2) has been paid on the international application to the USPTO as an ..... International Searching Authority <b>\$100.00</b> International Search Report prepared by an ISA other than the US and provided to the Office or ..... previously communicated to the US by the IB <b>\$400.00</b> All other situations <b>\$500.00</b>					
<b>TOTAL OF 21, 22 and 23 =</b> <b>\$1000.00</b>				<b>\$1000.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		Rate	
35 - 100= 0	0 / 50= 0			x \$250.00	<b>\$ -0-</b>
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<b>\$130.00</b>	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		24 - 20 =	-4-	x \$ 50.00	<b>\$ 200</b>
Independent claims		4 - 3 =	-1-	x \$ 200.00	<b>\$ 200</b>
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360.00	<b>\$</b>
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$1530.00</b>
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				<b>\$ 765.00</b>	
				<b>SUBTOTAL =</b>	<b>\$ 765.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <b>+</b>				<b>\$</b>	
				<b>TOTAL NATIONAL FEE =</b>	<b>\$ 765.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property <b>+</b>				<b>\$</b>	
				<b>TOTAL FEES ENCLOSED =</b>	<b>\$ 765.00</b>
				<b>Amount to be refunded: charged:</b>	<b>\$</b>

IAP5 Rec'd PCT/PTO 27 DEC 2005

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
<b>10/562651</b>	PCT/US2004/020457	32355.12.8.2.1
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$765.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-1910</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>		
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</b></p>		
<p>SEND ALL CORRESPONDENCE TO:</p> <p> SIGNATURE</p> <p>Customer No. 022859 FREDRIKSON &amp; BYRON, P.A. 200 South Sixth Street Suite 4000 Minneapolis, Minnesota 55402-1425 US</p> <p>Matthew J.S. Graham NAME</p> <p>54,647 REGISTRATION NUMBER</p>		

Form PTO-1390 (REV. 07-2005)

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